

1 MICHAEL C. TU (State Bar No. 186793)
mtu@orrick.com
2 ORRICK, HERRINGTON & SUTCLIFFE LLP
777 South Figueroa Street, Suite 3200
3 Los Angeles, California 90017
Telephone: 213-629-2020
4 Facsimile: 213-612-2499

5 MICHAEL D. TORPEY (State Bar No. 79424)
mtorpey@orrick.com
6 FRANK M. SCADUTO (State Bar No. 271451)
fscaduto@orrick.com
7 ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
8 405 Howard Street
San Francisco, California 94105-2669
9 Telephone: 415-773-5700
Facsimile: 415-773-5759
10

11 Attorneys for Defendant David Sambol
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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**
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17 IN RE: COUNTRYWIDE FINANCIAL
CORP. MORTGAGE-BACKED
18 SECURITIES LITIGATION

Case No. 11-ML-02265-MRP (MANx)

19 THRIVENT FINANCIAL FOR
20 LUTHERANS, et. al.,

Case No. 11-CV-7154-MRP (MANx)

21 Plaintiffs,

**DAVID SAMBOL'S NOTICE OF
MOTION AND JOINDER, AND
MOTION AND JOINDER TO
22 MOTION TO DISMISS THE
AMENDED COMPLAINT**

23 v.

24 COUNTRYWIDE FINANCIAL
CORPORATION, et al.,

25 Defendants.
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Date: May 17, 2012

Time: 11:00 a.m.

Courtroom: 12

Judge: Hon. Mariana R. Pfaelzer

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on May 17, 2012 at 11:00 a.m., or as soon thereafter as the matter may be heard in the courtroom of the Honorable Mariana R. Pfaelzer, United States District Judge, located at 312 North Spring Street, Los Angeles, California, defendant David Sambol will and hereby does move for an order dismissing all claims alleged against him in Plaintiffs' Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6), 9(b), 8(a)(2), and the Private Securities Litigation Reform Act of 1995. The ground for this motion is that the Amended Complaint against Mr. Sambol fails to state a claim because it re-asserts exactly the same claims against Mr. Sambol as the previously dismissed Complaint, but does not add any new allegations to remedy the deficiencies highlighted by this Court in its Order Dismissing Plaintiffs' Complaint. Furthermore, the Amended Complaint should be dismissed because Minnesota lacks personal jurisdiction over Mr. Sambol.

PLEASE TAKE FURTHER NOTICE THAT Mr. Sambol will and hereby does join in and adopt in their entirety the grounds for dismissal asserted in the Motion to Dismiss concurrently filed by the Countrywide Defendants. Mr. Sambol also joins in the Motions to Dismiss filed by the other defendants to the extent they are applicable and relate to claims for relief against him.

This motion is based on this Notice of Motion, the Memoranda of Points and Authorities in support hereof and Joinder submitted by Mr. Sambol, the Countrywide Defendants, and any other defendants, the Request for Judicial Notice in Support of the Motion to Dismiss and supporting documents, incorporated by reference herein, and all papers, pleadings, documents, arguments of counsel, and other materials presented before or during the hearing on these motions, and any other evidence and argument the Court may consider.

This motion is made following the conference of counsel pursuant to L.R. 7-3 that took place on March 21, 2012.

1 Dated: March 30, 2012

Respectfully submitted,

2 ORRICK, HERRINGTON & SUTCLIFFE LLP

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4 By: /s/ Michael C. Tu
5 Michael C. Tu

6 Attorneys for Defendant David Sambol
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